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City Council
Atlanta, Georgia

02-0-0108

AN ORDINANCE
BY: ZONING COMMITTEE

Z-01-99
DATE FILED: 12-11-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at the **882-966 Marietta Street, N.W.** be changed from the **I-2 (Heavy Industrial)** District, to the **PD-MU (Planned Development-Mixed Use)** District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **81 and 112** of the **14th** District, **Fulton** County, Georgia being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

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DESCRIPTION TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 81 AND 112 OF THE 14TH. DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET (80' R/W) AND THE NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE (90' R/W). THENCE FROM THE BEGINNING AND CONTINUING ALONG THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET A DISTANCE OF 37.80 FEET TO AN IRON PIN FOUND AND THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING AND LEAVING THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET S48°44'49"W A DISTANCE OF 138.00 FEET TO A POINT. THENCE RUNNING N37°05'21"W A DISTANCE OF 100.00 FEET TO A POINT. THENCE RUNNING S48°02'51"W A DISTANCE OF 13.40 FEET TO A POINT. THENCE RUNNING N37°22'18"W A DISTANCE OF 148.04 FEET TO A POINT. THENCE RUNNING N58°09'37"E ALONG THE SOUTH LINE OF A 25 FOOT INGRESS\EGRESS EASEMENT A DISTANCE OF 149.94 FEET TO A POINT ON THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET. THENCE RUNNING S37°14'00"E A DISTANCE OF 225.62 FEET TO SAID IRON PIN FOUND AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.779 ACRES OR 33,940± SQUARE FEET.

DESCRIPTION TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 81 AND 112 OF THE 14TH. DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET (80' R/W) AND THE NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE (90' R/W) (SAID IRON PIN BEING THE POINT OF BEGINNING). THENCE FROM THE POINT OF BEGINNING RUNNING SOUTHWESTERLY ALONG THE SAID NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT AND ARC DISTANCE OF 52.72 FEET (SAID ARC HAVING A CHORD BEARING OF S25°44'00"W AND A CHORD DISTANCE OF 52.72 FEET AND A RADIUS OF 117.33 FEET) TO A POINT. THENCE RUNNING S38°36'23"W ALONG THE SAID NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE A DISTANCE OF 452.09 FEET TO AN IRON PIN LOCATED ON THE NORTHEAST RIGHT-OF-WAY OF WESTERN AND ATLANTIC RAILROAD; THENCE LEAVING THE SAID NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE AND RUNNING NORTHWESTERLY ALONG THE SAID NORTHEAST RIGHT-OF-WAY OF WESTERN AND ATLANTIC RAILROAD THE FOLLOWING; N24°33'28"W A DISTANCE OF 185.84 FEET TO A POINT; THENCE N24°33'28"W A DISTANCE OF 8.69 FEET TO A POINT; THENCE N25°42'51"W A DISTANCE OF 184.83 FEET TO A POINT; THENCE N28°23'35"W A DISTANCE OF 113.61 FEET TO A POINT; THENCE N28°23'35"W A DISTANCE OF 18.37 FEET TO A POINT; THENCE RUNNING N31°00'18"W A DISTANCE OF 118.12 FEET TO A POINT; THENCE RUNNING N33°51'37"W A DISTANCE OF 184.41 FEET TO A POINT; THENCE RUNNING N35°25'11"W A DISTANCE OF 40.02 FEET TO A POINT; THENCE RUNNING N36°25'21"W A DISTANCE OF 68.88 FEET TO A POINT; THENCE RUNNING N38°23'24"W A DISTANCE OF 91.76 FEET TO A POINT; THENCE RUNNING N39°52'23"W A DISTANCE OF 91.84 FEET TO A POINT; THENCE RUNNING N41°21'49"W A DISTANCE OF 104.05 FEET TO A POINT; THENCE RUNNING N41°53'41"W A DISTANCE OF 77.15 FEET TO AN IRON PIN; THENCE LEAVING THE SAID NORTHEAST RIGHT-OF-WAY OF WESTERN AND ATLANTIC RAILROAD AND RUNNING N35°10'53"E A DISTANCE OF 385.50 FEET TO AN IRON PIN LOCATED ON THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET; THENCE RUNNING SOUTHEASTERLY ALONG THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET THE FOLLOWING; S38°17'40"E A DISTANCE OF 220.63 FEET TO AN IRON PIN; THENCE S38°10'24"E A DISTANCE OF 355.50 FEET TO A POINT; THENCE RUNNING S39°58'39"E A DISTANCE OF 40.25 FEET TO AN IRON PIN; THENCE RUNNING S37°14'00"E A DISTANCE OF 320.31 FEET TO AN IRON PIN LOCATED ON THE SOUTHEAST CORNER OF A 25 FOOT INGRESS\EGRESS EASEMENT. THENCE LEAVING THE SAID SOUTHEAST RIGHT-OF-WAY OF MARIETTA STREET AND RUNNING S58°09'37"W A DISTANCE OF 149.94 FEET TO A POINT. THENCE RUNNING S37°22'18"E A DISTANCE OF 148.04 FEET TO A POINT. THENCE RUNNING N48°02'51"E ALONG THE SAID SOUTHEAST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK A DISTANCE OF 13.40 FEET TO A POINT LOCATED ON THE SOUTHWEST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK; THENCE RUNNING S37°05'21"E ALONG THE SAID SOUTHWEST PROPERTY LINE A DISTANCE OF 100.00 FEET TO A POINT LOCATED ON THE SOUTHEAST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK; THENCE RUNNING N49°44'49"E ALONG THE SAID SOUTHEAST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK A DISTANCE OF 138.00 FEET TO AN IRON PIN LOCATED ON THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET; THENCE RUNNING S37°14'00"E ALONG THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET A DISTANCE OF 37.80 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 441,500± SQUARE FEET OR 10.135 ACRES. (INCLUDING 25 FOOT INGRESS\EGRESS EASEMENT)

Z-01-99